

### **REMARKS**

Claims 1-17 are currently pending. Claims 1, 5, 9, 13 and 17 have been amended, without prejudice to pursue the original claims in a related application. No new matter has been added.

### **Interview Summary**

An interview with Examiner Van Kim T. Nguyen was conducted on May 28, 2010 by telephone. The amendments and arguments provided herein reflect the discussed topics and talking points of the examiner interview.

### **Claim Rejections**

Claims 1-3, 5-11, and 13-16 were rejected under 35 USC §103(a) as unpatentable over Petry (US 6,941,348) in view of Gupta (US 7,093,025) and Bezuidenhout (US 2004-0236999). Claims 4 and 12 were rejected under 35 USC §103(a) as unpatentable over Petry in view of Gupta, Bezuidenhout, and Savchuk (US 2005-0055399). Claim 17 was rejected under 35 USC §103(a) as unpatentable over Petry in view of Gupta, Bezuidenhout, and Allaire ("ColdFusion, Web Application Server," pgs. 1-28, 1995-1999).

In response, Applicant asserts that the these references, alone or in any combination, fail to disclose or even suggest each and every limitation of the present claims.

For example, present independent claim 1, as amended, recites the following limitations (*emphasis added*):

at the intranet web server, automatically generating email on behalf of an intranet user;

at the intranet web server, queuing the automatically-generated email in an email spooler;

***at the intranet web server, sending the automatically-generated email to a mail server for delivery to an intended recipient via the Internet, the mail server interposed between the intranet web server and the Internet; and***

at the intranet web server, if the automatically-generated email is returned from the mail server as undeliverable to the intended recipient the email method includes the acts of:

(a) fetching an email address for the intranet web server's system administrator;

(b) verifying normal operation of the email spooler by examining each email queued in the email spooler to determine the pendency of each email within the email spooler;

(c) emailing the system administrator regarding an abnormal operation if act (b) verifies that the email spooler is not operating normally;

(d) processing each undeliverable email to determine whether it was returned because of a problem with the email itself or because of a problem with the mail server;

(e) resending the undeliverable email to the intended recipient if act (d) determines that an undeliverable email was returned because of a problem with the mail server; and

(f) sending the undeliverable email to the originating intranet user if act (d) determines that an undeliverable email was returned because of a problem with the undeliverable email itself.

As discussed in the interview with the examiner, Petry is directed to an electronic message management system (EMS) that manages email transmission between a sending mail server and a receiving mail server. In Fig. 2 and col. 6, lines 17-20, Petry explicitly teaches that EMS 203 is provided between Internet 101 and receiving mail server 202, and with respect to firewall location B, EMS 203 is integrated with receiving mail server 202 so that EMS 203 monitors the email spooler of receiving mail server 202. Clearly, Petry is only concerned with monitoring the health of receiving mail server 202.

As discussed in the interview with the examiner, Petry fails to explicitly teach monitoring an originating mail server, and as such, if the email spooler of the originating mail server becomes inoperative, EMS 203 simply receives no email from the originating mail server. Since EMS 203 is not receiving any email in such an instance, Petry fails to teach that EMS 203 is configured to monitor or even investigate the email spooler of the originating mail server. Accordingly, an inoperative originating mail server is simply non-existent to EMS 203 of Petry.

Instead, as discussed in the interview with the examiner, Petry is explicitly directed to a generic mail facility (EMS 203) that merely couples between mail server 202 and the Internet 101. Clearly, Petry's mail facility (EMS 203) does not service the originating mail server's spool. According to Petry in col. 12, since EMS 203 has its own spooler, Petry's mail server 202 never monitors the spool in the originating mail server. Moreover, the

citation in col. 19, line 60 to col. 20, line 55 is a description of how Petry's EMS 203 manages its own spool, which is separate from the spools in the mail servers it sits between. In fact, the notification discussed in col. 9, lines 30-35, col. 12, lines 47-56, and col. 20, lines 26-28 is with respect to its own spool, not the spool in the originating mail server.

Thus, as discussed in the interview with the examiner, Petry has no way of knowing whether this mail spooler is non-functional. For example, if the originating mail server's spool is non-functional, then EMS 203 will never receive an email, and thus, EMS 203 has no knowledge that email was not delivered.

In sharp contrast to Petry, present independent claim 1, as amended, recites, "at the intranet web server, automatically generating email on behalf of an intranet user," and, "at the intranet web server, queuing the automatically-generated email in an email spooler," and, "at the intranet web server, sending the automatically-generated email to a mail server for delivery to an intended recipient via the Internet, the mail server interposed between the intranet web server and the Internet." Support for these limitations may be found throughout Applicant's specification, e.g., Figs. 1-2 and pg. 6, line 10 to pg. 9, line 10.

Moreover, in pg. 3, the Action purports that Petry teaches (b) verifying normal operation of the email spooler, as recited in the present claims. In pg. 3, the Action purports that Petry teaches (c) emailing the system administrator regarding an abnormal operation if act (b) verifies that the email spooler is not operating normally, as recited in the present claims. In pg. 5, the Action concedes that Petry fails to teach (b) verifying normal operation of the email spooler by examining each email queued in the email spooler to determine the pendency of each email within the email spooler, as recited in the present claims. In pg. 5, the Action further purports that Bezuidenhout teaches examining each email queued in the email spooler to determine the pendency of each email within the email spooler, as recited in the present claims. In response, Applicant respectfully disagrees.

In pg. 3, the Action concedes that Petry is only concerned with capacity of the email spooler. As conceded by the Action, Petry explicitly discloses, in col. 20, lines 26-28, that, if the pool size reaches one of several predefined pool size checkpoints (e.g., 75% of

capacity), then an alert notification is generated. Accordingly, to the extent that Petry may notify an administrator, Petry only generates a notification if the email spooler is reaching capacity, which teaches away from the subject matter of present claim 1.

Similarly, as with Petry, Bezuidenhout is only concerned with capacity of the email spooler. In par. 39, Bezuidenhout explicitly discloses that, if the email gateway is receiving email but not delivering email or the email gateway is not receiving email, the SMTP (Simple Mail Transfer Protocol) daemon is not functioning, the /var partition is less than a first predefined percentage full, such as 80% full, or the /var partition has been reduced to below a second predefined percentage full, such as 72% full, after having been automatically shut down, and the queue has more than a predefined number of emails, such as 10,000 emails, the tool of this embodiment will troubleshoot email delivery. Clearly, Bezuidenhout only initiates troubleshooting email delivery when the /var partition reaches a threshold of 72% to 80% of capacity, which teaches away from the subject matter of present claim 1.

Accordingly, Petry and Bezuidenhout only teach of managing the capacity of the email spooler so as to not exceed a predetermined spool size, which is different than the subject matter of present claim 1. Moreover, Petry and Bezuidenhout teach that, if the email spool size exceeds a predetermined percentage of capacity (i.e., 72% to 80%), then the email spooler is prevented from spooling anymore email messages, which is different than the subject matter of present claim 1. Thus, Petry and Bezuidenhout fail to disclose or even suggest each and every limitation of present claim 1 in a manner as claimed.

In sharp contrast to Petry and Bezuidenhout, present independent claim 1 recites:

(b) verifying normal operation of the email spooler by examining each email queued in the email spooler to determine the *pendency* of each email within the email spooler; and

(c) emailing the system administrator regarding an abnormal operation if act (b) verifies that the email spooler is not operating normally.

Moreover, in sharp contrast to Petry and Bezuidenhout, present claim 5 recites:

wherein act (b) comprises:

emailing the system administrator regarding each email's pendency if an email's pendency within the email spooler exceeds a normal pendency period from a time initially received by the email spooler,

wherein the normal pendency period comprises a predefined time period including two minutes from the time initially received by the email spooler.

Accordingly, in a manner as recited in present claim 1, normal operation of the email spooler is verified by examining each email queued in the email spooler to determine the pendency of each email within the email spooler from the time initially received by the email spooler. Support for these limitations may be found throughout Applicant's specification, e.g., Figs. 2-3 and pg. 8, line 8 to pg. 11, line 1. For example, in pg. 8, lines 8-13, if an email has been on email spooler 117 *longer than a normal pendency period* (e.g., two minutes), then a spooler problem may be assumed.

Moreover, the ancillary Gupta, Savchuk, and ColdFusion references fail to remedy the deficiencies of Petry. For instance, Gupta is merely relied on for purportedly disclosing an alternate email recipient, Savchuk is merely relied on for purportedly disclosing an event spooler that generates messages for original data processing, and Allaire is merely relied on for purportedly disclosing a ColdFusion server.

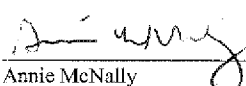
Therefore, since the cited Petry reference fails to disclose or even suggest each and every limitation of present claim 1, and the cited ancillary Gupta, Savchuk, and Allaire references fail to remedy the deficiencies of Petry, present independent claim 1 and any claims dependent thereon are considered to be in condition for allowance, and such allowance is respectively requested.

Present-independent claims 9 and 17 recite similar subject matter as with present claim 1. Hence, these claims and any claims dependent thereon are considered to be in condition for allowance for at least the same reasons as discussed above in reference to present claim 1, and such allowance is respectively requested.


**CONCLUSION**

For the foregoing reasons, Applicants respectfully submit that the pending claims are in condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested and a timely Notice of Allowance is solicited.

If there are any questions regarding any aspect of the application, please call the undersigned at (949) 202-3000.

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Respectfully submitted,

  
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